

SUBDIVISION MEETING

August 23, 2001

Vice Chairman Mike Murray called the meeting to order at 9:00 a.m. Commissioner Varone was present. Commissioner Loendorf was absent. Others attending to all or a portion of the meeting included Ron Alles, Nancy Everson, Audra Zacherl, Eric Griffin, Jerry Grebenc, Sharon Haugen, Paulette DeHart, Bob Morrison, Bill Bahny, Greg Bahny, Frank Rives, K. Paul Stahl, Jim Scoles, Dave Korang, Ben Anderson, Larry Sayre, Fred Dalbec, and Carole Byrnes.

Minutes. There were no minutes to approve.

Auditor Claims. Audra Zacherl requested that the commission release claims in the amount of \$620,771.24. Commissioner Varone moved to release the payment of the claims. Commissioner Murray seconded the motion and the motion carried 2-0.

Resolution Setting the Number of Mills to be Levied for FY 2001-2002. Nancy Everson reported that the total mill levies to be set inside incorporated cities is 131.63 mills; outside the incorporated cities is 152.27 mills. This is an increase from the prior year of 21.19 mills. This consists of 4.28 mills, which is the floating mills allowed under SB184. There are 9 mills for the health insurance premium levy. The library voted mills is 7.91. There are new maintenance districts for SIDs and a rate increase for the Sunny Vista Maintenance District. Commissioner Varone moved to approve the resolution and authorized the Vice Chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Bid Opening-Lyons Creek Road Bridge Replacement. The Commission opened the bids for the Lyons Creek Road bridge replacement project. Bids were submitted by the following companies:

Johnson Companies. Great Falls, MT. Addendums 1,2 and 3 are attached. The required 10% bid bond was attached. The total bid prices is \$192,416.80.

DW Oxendahl Contractors. Addendums 1,2 and 3 are attached. The required 10% bid bond was attached. The total bid price is \$176,031.69.

Diamond Construction, Helena. Addendums 1,2 and 3 are attached. The required 10% bid bond was attached. The total bid price is \$170,600.

Northside Welding Inc., Helena. Addendums 1,2 and 3 are attached. The required 10% bid bond was attached. The total bid price is \$272,368.82.

The low bidder appears to be Diamond Construction. The engineer's estimate was \$200,000. Commissioner Murray moved to take bids under advisement and that staff make a recommendation at a later public meeting. Commissioner Varone seconded the motion and it carried 2-0.

Bid Opening-Road Striping. The Commissioners opened bids for centerline striping on approximately 54 miles of county road, including approximately 30 miles of double centerline striping. One bid was received from Merrit Rodgers of Florence, MT. The bid does not meet the standards because no bid bond was attached. Commissioner Murray moved that the bid be taken under advisement and returned to staff for a recommendation at the next public meeting. Commissioner Varone seconded the motion and it carried 2-0.

A Resolution Levying an Assessment Upon Customers of the Scratch Gravel Solid Waste Management District Who Own Real Property in the District and Owe a Modified Pay-As-You-Throw Program Charge as of August 1, 2001. Eric Griffin reported that the resolution adds \$15,105.22 in pay-as-you-throw tax bill charges to 329 new properties. Commissioner Varone moved to approve the resolution and authorized the vice chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

A Resolution Levying an Assessment Upon Customers of the Scratch Gravel Solid Waste Management District Who Own Mobile Homes as Personal Property in the District and Owe a Modified Pay-As-You-Throw Program Charge as of August 1, 2001. Eric Griffin reported that this resolution adds \$2,488 to 61 mobile home tax bills for 2002. Commissioner Varone moved to approve the resolution and authorized the vice chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Total charges for the six months in operation since January 1 for pay-as-you-throw charges deposited to date is \$23,612.66. Pay-as-you-throw charges added to real or mobile tax bills is \$17,506.20. Total charges for the pay-as-you-throw program since January 1 is \$41,118.86.
--

Raven Acres Minor – Discussion on Road Issues. Frank Rives reported that applicant, Bill Bahny is trying to bring his final plat to completion. In reviewing the conditions of approval, staff determined that the applicant has not met condition 4, which states that the applicant shall be responsible for making a public road of the section of Raven Road from the western property to its junction with Birdseye Road. Mr. Bahny contends that condition 4 is covered by the two variances which were submitted. Staff concludes that the two variances do not cover condition 4. Condition 3 was included in the event that the BoCC did not approve the two variance requests. If the BoCC approved the two variances, condition 3 would be removed. In reviewing the variance forms, staff has not concluded that the two variances cover condition 4.

Commissioner Varone stated there may have been a misunderstanding in what the variance says.

Frank Rives believes it is in the best interest of the county that Raven Road be made a public road.

Bill Bahny, 3355 Valley Drive stated he assumed that when he went to that final meeting that all of the variances were covered with the two which were submitted and he did not receive the February memo.

Commissioner Murray to table this until the 30th to give Bill an opportunity to review all of the evidence we have before us this morning and continue the discussions a week from today.

The Vice-Chair opened the public meeting.

Jackie Garcia. Ms. Garcia stated she is in a buy-sell agreement with the Bahnys and is present today to find out what is going on and what has been the hold up.

Hearing no other comments, this closes the public meeting. Commissioner Murray moved to table the Bahnys' request until August 30. Commissioner Varone seconded the motion and it carried 2-0.

Health Department Contract Renewal. Ron Alles reported that this renewal contract with Mary Musil is to provide dietitian services to health department clients. Both the Board of Health and staff recommended approval. Commissioner Varone moved to approve the contract and authorized the Vice Chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Montana Arts Council Cultural Trust Grant. Ron Alles reported on the final report for the Artists Group. Staff recommended approval. Commissioner Varone moved to approve the final report and authorized the Vice-Chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Augusta Sewer Charge Collections. Ron Alles reported that the district would like to collect their own rates and will no longer be on the county tax bills. Commissioner Varone moved that the county will notify the Augusta Community Water and Sewer district that Lewis and Clark County will no longer collect their water and sewer district charges and we will notify the Department of Revenue to remove them from the tax bill. Commissioner Murray seconded the motion and it carried 2-0.

Financial Assistance Award. Ron Alles reported that by signing these documents the county agrees to comply with the award provisions from the Department of Commerce for a disaster mitigation grant. Staff recommended approval. Commissioner Varone moved to accept the award and authorized the vice chair to sign. Commissioner Murray seconded the motion and it carried 2-0.

Resolution Ordering the Consolidation of the Office of County Auditor/Surveyor with the Office of Treasurer/Clerk and Recorder. (cont. from 8/21/01). Commissioner Varone moved to approve the resolution and authorized the Vice-Chair to sign. Commissioner Murray seconded the motion and it carried 2-0. Commissioner Varone swore in Paulette DeHart as acting Auditor/Surveyor. Ms. DeHart stated when the county has an

individual that will perform the duties as a clerk or a deputy under the elected official, they must also be sworn in.

K. Paul Stahl stated that the Planning and Zoning Commission now needs another member. It requires three commissioners, the county surveyor, and an elected official appointed by the Commissioners.

Final Plat Approval of the Prairie View Lot 4 Minor Subdivision. (cont. from 8/17/01).

Jerry Grebenc reported that the applicant has succeeded in getting the necessary mortgage releases. The applicant has now met all of the conditions of approval and does have an improvements agreement for the outstanding improvements. Staff recommended approval of the final plat. By consensus, the Commission agreed to sign the final plat.

There being no other business, the meeting adjourned at 10:00 a.m.